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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARTIN VOGEL and KENNETH
MAHONEY, on Behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

v.

APPLE, INC., STEVEN P. JOBS, FRED
ANDERSON, NANCY HEINEN,
WILLIAM V. CAMPBELL, MILLARD S.
DREXLER, ARTHUR D. LEVINSON, and
JEROME P. YORK,

Defendants.

CASE NO. C08-03123 JF

CLASS ACTION

**PROOF OF SERVICE VIA FACSIMILE
AND U.S. MAIL**

PROOF OF SERVICE

STATE OF CALIFORNIA)
)ss.:
COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles, State of California, I am over the age of 18 and not a party to the within action; my business address is 10940 Wilshire Boulevard, Suite 2300, Los Angeles, CA 90024.

On July 17, 2008, I served the document(s) described as **STIPULATION AND [PROPOSED] ORDER STAYING ACTION** by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed as follows:

SEE ATTACHED SERVICE LIST

I served the above document(s) as follows:

xx BY FACSIMILE TRANSMISSION. I caused a facsimile machine transmission from facsimile machine telephone number (310) 209-2087 to the facsimile machine telephone number(s) listed on the attached Service List. Upon completion of said facsimile machine transmission(s), the transmitting machine issued a transmission report(s) showing the transmission(s) was/were complete and without error.

xx BY MAIL. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in an affidavit.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on July 17, 2008, at Los Angeles, California 90024.

MELANIE JACOBS

Type or Print Name

/s/ Melanie Jacobs

Signature

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